

Notice of Allowability

Application No.

09/761,844

Examiner

Freda A. Nelson

Applicant(s)

ONOU, MASASHI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed November 2, 2006.
2. ☒ The allowed claim(s) is/are 1,4-9,11,12 and 15-30.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/30 & 10/31/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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Response to Amendment

The amendment received on November 2, 2006 is acknowledged and entered. Claims 2-3, 10, 13-14, and 31-35 have been canceled. No claims have been added. Claims 1, 4-9, 11-12, 15-30 are currently pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

IN THE CLAIMS

4. (Currently Amended) The charge information processing apparatus according to ~~claim 4~~ claim 1, wherein said specific repairing method comprises procedures associated with a repairing method, repairing instruments, and repairing materials that are devised to complete repairs within a predetermined amount of time.

Allowable Subject Matter

Claims 1, 4-9, 11-12, 15-30 are allowed.

The following is an examiner's statement of reasons for allowance:

1. As per independent claim 1, specifically, McGuire et al. (Patent Number 4,404,639), while disclosing an automotive diagnostic system, does not disclose or fairly teach:

means for calculating introduction expenses required for facilities working as the franchisee providing the automobile repairing services by the specific repairing method, based on said scale information of a repair shop inputted into said charge information processing apparatus by said inputting means, and for calculating an instruction fee of said specific repairing method, a royalty, and prices of repairing instruments and repairing materials required for implementing said specific repairing method;

means for managing information of franchisees;

means for managing a number of franchisees for each region; and

means for outputting information for preparing a branching plan based on the number of franchisees for each region that are managed by said means for managing a number of franchisees.

2. As per independent claim 25, specifically, McGuire et al. (Patent Number 4,404,639), while disclosing an automotive diagnostic system, does not disclose or fairly teach:

a charge information processing apparatus included in the franchise system apparatus for calculating charges required for working as a franchisee that provides automobile repairing services by a specific repairing method;

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an estimation apparatus included in the franchise system apparatus for calculating estimates of automobile repairing services by said specific repairing method; and

a communication apparatus included in the franchise system apparatus for communicating data between said charge information processing apparatus and said estimation apparatus, wherein said charge information processing apparatus comprises an input apparatus for inputting scale information of a repair shop into said charge information processing apparatus;

means for managing information of franchisees;

means for managing the number of franchisees for each region;

means for outputting information for preparing a branching plan based on the number of franchisees for each region that are managed by said means for managing information of franchisees; and

means for calculating introduction expenses required for facilities providing said automobile repairing services, based on scale information of a repair shop, an instructing fee for instructing said specific repairing method, a royalty, and prices of repairing instruments and repairing materials required for implementing said specific repairing method.

3. As per independent claim 29, specifically, McGuire et al. (Patent Number 4,404,639), while disclosing an automotive diagnostic system, does not disclose or fairly teach:

means for storing charge calculation base data for calculating introduction expenses corresponding to scale information of an automobile repair shop;

means for inputting the scale information of the automobile repair shop into said charge information processing apparatus;

means for managing information of franchisees;

means for managing the number of franchisees for each region;

means for outputting information for preparing a branching plan based on the number of franchisees for each region that are managed by said means for managing the number of franchisees; and

means for calculating the introduction expenses based on the inputted scale information of a repair shop and said charge calculation base data stored in said means for storing charge calculation base data;

wherein said charge calculation base data comprises:

calculating an instruction fee for said specific repairing method;

calculating a royalty, and

calculating prices of repairing instruments and repairing materials required for implementing said specific repairing method.

4. The NPL prior art of record, specifically, "Too good to be true" and "Hard data on franchises" (Federal Trade Commission's Uniform Franchise Offering Circular).

means for calculating introduction expenses required for facilities working as the franchisee providing the automobile repairing services by the specific repairing

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method, based on said scale information of a repair shop inputted into said charge information processing apparatus by said inputting means, and for calculating an instruction fee of said specific repairing method, a royalty, and prices of repairing instruments and repairing materials required for implementing said specific repairing method;

means for managing information of franchisees;

means for managing a number of franchisees for each region; and

means for outputting information for preparing a branching plan based on the number of franchisees for each region that are managed by said means for managing a number of franchisees.

5. The foreign prior art of record, specifically, Tsutomu et al. (JP 2000-23255), while disclosing a data transmission system between stores and headquarter, fails to disclose or fairly teach:

means for calculating introduction expenses required for facilities working as the franchisee providing the automobile repairing services by the specific repairing method, based on said scale information of a repair shop inputted into said charge information processing apparatus by said inputting means, and for calculating an instruction fee of said specific repairing method, a royalty, and prices of repairing instruments and repairing materials required for implementing said specific repairing method;

means for managing information of franchisees;

means for managing a number of franchisees for each region; and
means for outputting information for preparing a branching plan based on the number of franchisees for each region that are managed by said means for managing a number of franchisees.

6. The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

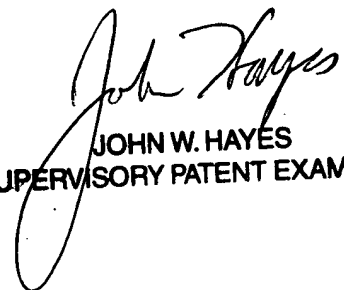
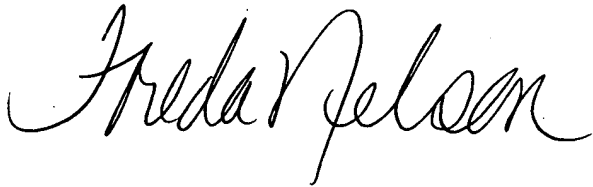
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday, 9:30 am –6:00 pm.

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8. . . . If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FAN 11/06/2006



JOHN W. HAYES
SUPERVISORY PATENT EXAMINER